

and RP87-27-000 to reflect a reduction in Northwest's sales rates caused by the reallocation of costs between Northwest's Rate Schedule T-1 and its sales rate schedules. Northwest also states that it is filing First Amended Twenty-First Revised Sheet No. 10-A in response to the Commission's March 21, 1988 Order in Docket Nos. RP88-41-001, RP85-13-017 and RP87-27-002 to allow Northwest to recover the additional costs that were reallocated to Rate Schedule T-1. Northwest requests that the two tariff sheets be made effective April 1, 1988 and February 1, 1988, respectively.

Northwest also states that it is filing substitute Third Amended Thirty-Ninth Revised Sheet No. 10 that would supersede Revised Second Amended Thirty-Ninth Revised Sheet No. 10 referenced above. Substitute Third Amended Thirty-Ninth Revised Sheet No. 10 also would reflect the reduction in Northwest's sales rates and is needed because on March 31, 1988 Northwest filed a restatement of its Base Tariff Rates in Docket No. RP88-47-002, to be effective May 1, 1988. Northwest also is filing Second Amended Twenty-First Revised Sheet No. 10-A to reflect the new fuel reimbursement percentage on Northwest's system, to be effective April 1, 1988.

Northwest further states that it is filing Third Revised Sheet No. 71 to include general and overhead expense items, as allocated to Rate Schedule T-1, pursuant to the Commission's Order issued August 4, 1987 in Docket No. RP81-47-005. Northwest states that it is filing First Revised Sheet No. 72 simply because the addition to Third Revised Sheet No. 71 caused existing language to be shifted from Third Revised Sheet No. 71 to First Revised Sheet No. 72. Both sheets are proposed to be effective February 1, 1988.

Northwest finally states that it is filing a refund report, also in response to the Commission's March 21 Order, that reflects refunds with interest to its jurisdictional sales customers for the period from May 1, 1985 to March 31, 1988.

Northwest states that copies of the filing have been mailed to all its customers and affected state regulatory commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 214 and 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.214, 385.211 (1987)). All such motions or protests should be filed on or before

May 6, 1988. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,  
Acting Secretary.

[FR Doc. 88-9853 Filed 5-3-88; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP88-17-007]

### **Southern Natural Gas Co.; Proposed Changes in FERC Gas Tariff**

April 29, 1988.

Take notice that on April 25, 1988, Southern Natural Gas Company (Southern) tendered for filing the following tariff sheets to its FERC Gas Tariff, Sixth Revised Volume No. 1, to be effective May 25, 1988:

First Revised Sheet No. 30Z.1  
Second Revised Sheet No. 45R.9  
Original Sheet No. 45R.9a  
First Revised Sheet No. 53L.35  
Original Sheet No. 53L.35a  
First Revised Sheet No. 53L.36  
First Revised Sheet No. 53L.39  
First Revised Sheet No. 53L.51  
First Revised Sheet No. 53L.55

Southern states that on October 30, 1987, it filed in this proceeding revisions to its FERC Gas Tariff to establish as part of its Tariff Rate Schedules FT and IT, the General Terms and Conditions for Rate Schedules FT and IT, and Forms of Service Agreement under Rate Schedules FT and IT. Southern filed subsequent revisions to said tariff sheets through filings submitted on December 14, 1987, February 29, 1988, March 16, 1988 and March 31, 1988. Southern herewith files the above-reference revised tariff sheets to allow shippers to add or delete delivery points or change the maximum daily delivery quantity for a point on a more flexible basis. Southern has requested that the revised sheets be made effective May 25, 1988.

Southern states that copies of the filing were mailed to all of Southern's jurisdictional purchasers, shippers, and interested state commissions, as well as the parties listed on the Commission's official service list compiled in this proceeding.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington,

DC 20426, in accordance with the Commission's Rules of Practice and Procedure (18 CFR 385.211 or 385.214). All such motions or protests should be filed on or before May 6, 1988. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,  
Acting Secretary.

[FR Doc. 88-9854 Filed 5-3-88; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 1651-001]

### **Swift Creek Power Co., Inc.; Existing Licensee's Intent To File an Application for New License**

April 29, 1988.

Take notice that on September 8, 1987, licensee for the Swift Creek Project No. 1651 has stated its intent pursuant to section 15(b)(1) of the Federal Power Act (Act) to file an application for a new license. The license for the Swift Creek Project No. 1651 will expire on November 30, 1992. The project is located on the Swift Creek in Lincoln County, Wyoming, has a total capacity of 1,550 kw, and occupies federal lands within the Bridger-Teton National Forest.

The principal project works currently licensed for Project No. 1651 are comprised of two separate developments consisting of the following:

(1) The upper development consists of a concrete dam about 22 feet high and 100 feet long; a reservoir with negligible storage capacity; a 48-inch diameter penstock about 7,000 feet long; a surge tank; a powerhouse with two turbine-generators, each rated at 400 kw capacity; electrical facilities to include the 2.4 kv generator leads, the 2.4/12.5 kv step-up transformer bank, and the 12.5 kv transmission line about 1.1 miles long connecting the two developments; and appurtenant facilities; and

(2) The Lower development (formerly Project No. 910) consists of an earth-rockfill dam about 30 feet high and 360 feet long; a reservoir with negligible storage capacity; a powerhouse with two turbine-generators, one-rated at 250 kW and the other rated at 500 kW; electrical facilities to include the 0.480 kv generator leads, the 0.480/12.5 kv step-up transformer bank, and a 12.5 kv



transmission line about 300 feet long; and appurtenant facilities;

Under section 15(c)(1) of the Act, as amended by the Electric Consumers Protection Act of 1986, each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by November 30, 1990.

Pursuant to section 15(b)(2), the licensee is required to make available current maps, drawings, data and such other information as the Commission shall by rule require regarding the construction and operation of the licensed project. See Docket No. RM87-7-000 (Interim Rule issued March 30, 1987), for a detailed listing of required information. A copy of Docket No. RM87-7-000 can be obtained from the Commission's Public Reference Section, Room 1000, 825 North Capitol Street NE, Washington, DC 20426. The above information is required to be available for public inspection and reproduction at a reasonable cost as described in the rule at the licensee's offices.

Lois Cashell,

*Acting Secretary.*

[FR Doc. 88-9855 Filed 5-3-88; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP88-81-001]

### **Texas Eastern Transmission Corp.; Proposed Changes in FERC Gas Tariff**

April 29, 1988.

Take notice that Texas Eastern Transmission Corporation (Texas Eastern) on April 26, 1988 tendered for filing as part of its FERC Gas Tariff, Fifth Revised Volume No. 1, the following tariff sheets:

Substitute First Revised Sheet No. 310  
Substitute First Revised Sheet No. 311  
Substitute First Revised Sheet No. 330  
Substitute First Revised Sheet No. 331  
Substitute First Revised Sheet No. 333  
Substitute First Revised Sheet No. 334  
Substitute First Revised Sheet No. 337  
Substitute First Revised Sheet No. 404  
Substitute First Revised Sheet No. 677  
Substitute First Revised Sheet No. 736

Texas Eastern states that the purpose of this filing is to make the revisions to its March 24, 1988 tariff filing in Docket No. RP88-81-000 as required by the Commission's April 22, 1988 "Order Accepting For Filing and Suspending Tariff Sheets Subject to Refund and Conditions, Establishing Hearing, and Consolidating Proceedings" (April 22 Order). Texas Eastern states that its March 24, 1988 filing was accepted

subject to refund and conditions imposed by the Commission's April 22 Order. Ordering Paragraph (B) requires Texas Eastern to modify and refile certain of its tariff sheets submitted on March 24, 1988 within 15 days of the issuance of the April 22 Order. In compliance with the April 22 Order, but without prejudice to Texas Eastern's right to seek rehearing of the April 22 Order, Texas Eastern states that it has made the following tariff changes:

(1) Sheet Nos. 330 and 331 have been revised to incorporate into Section 3.2 of Rate Schedule IT-1 the interruptible transportation tender requirement established in *Tennessee Gas Pipeline Company*, 38 FERC Par. 61,233 at 61,740-41 (1987).

(2) Sheet No. 337 has been revised so that Section 12 of Rate Schedule IT-1 clearly grants Buyer the right to nominate the new MDRO and MDDO in the event the MDTQ of a service agreement is to be reduced.

(3) Sheet No. 404 has been revised to delete the requirement that the sum of all MDRO's must not exceed the MDTQ.

(4) Sheet Nos. 310, 311, 333 and 334 have been revised to modify the penalty sections of Rate Schedules FT-1 and IT-1.

(5) Sheet Nos. 677 and 736 have been revised to modify the termination provisions of the FT-1 and IT-1 service agreements to eliminate language which would have required the Buyer to agree not to protest or otherwise oppose Texas Eastern's termination of the agreement.

The proposed effective date of the above listed tariff sheets is April 22, 1988, the effective date of the initial tariff sheets filed in this proceeding.

Texas Eastern also advises the Commission that effective April 26, 1988 Texas Eastern is accepting self-implementing transportation requests pursuant to Rate Schedule FT-1 and IT-1. Texas Eastern further advises the Commission that Texas Eastern will comment self-implementing transportation for requesting shipper, who have submitted a valid transportation request, as soon as appropriate service agreements under Rate Schedules FT-1 or IT-1 are executed by Shippers. The text of the telegram sent to the parties of record in Docket No. RP88-81-000 is included in the filing.

Copies of the filing were served on Texas Eastern's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington,

DC 20426, in accordance with Rules 214 and 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.214, 385.211 (1987)). All such motions or protests should be filed on or before May 6, 1988. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

*Acting Secretary.*

[FR Doc. 88-9856 Filed 5-3-88; 8:45 am]

BILLING CODE 6717-01-M

### **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-3369-5]

#### **Buried Valley Aquifer System, Ohio, Sole Source Aquifer Petition; Final Determination**

**AGENCY:** U.S. Environmental Protection Agency.

**ACTION:** Notice of final determination.

**SUMMARY:** Notice is hereby given that, under section 1424(e) of the Safe Drinking Water Act, the U.S. Environmental Protection Agency (EPA) Region V Administrator has determined that the petitioned portion of the Buried Valley Aquifer System of the Great Miami/Little Miami River Basins of Southwestern Ohio, hereafter called the Buried Valley Aquifer System (BVAS), is the sole or principal source of drinking water in the petitioned area, and that this aquifer, if contaminated, would create a significant hazard to public health. As a result of this action, all Federal financially assisted projects constructed in the BVAS area and its principal recharge zone will be subject to EPA's review to insure that these projects are designed and constructed so that they do not create a significant hazard to public health.

**DATES:** Because the economic and regulatory impact of this action will be minimal, this determination will be effective as of the date it is signed by the Regional Administrator.

**ADDRESSES:** The data on which these findings are based are available to the public and may be inspected during normal business hours at the U.S. Environmental Protection Agency, Office of Ground Water 5WG-TUB8, 230 S. Dearborn Street, Chicago, Illinois 60604.



**FOR FURTHER INFORMATION CONTACT:**  
Wm. Turpin Ballard, Office of Ground  
Water, U.S. Environmental Protection  
Agency, Region V, at 312-353-1435.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Section 1424(e) of the Safe Drinking  
Water Act (42 U.S.C. 300f, 300h-3(e),  
Pub. L. 93-523) states:

(e) If the Administrator determines on his  
own initiative or upon petition, that an area  
has an aquifer which is the sole or principal  
drinking water source for the area and which,  
if contaminated, would create a significant  
hazard to public health, he shall publish  
notice of that determination in the **Federal  
Register**. After the publication of any such  
notice, no commitment for Federal financial  
assistance (through a grant, contract, loan  
guarantee, or otherwise) may be entered into  
for any project which the Administrator  
determines may contaminate such aquifer  
through a recharge zone so as to create a  
significant hazard to public health, but a  
commitment for Federal financial assistance  
may, if authorized under another provision of  
law, be entered into to plan or design the  
project to assure that it will not so  
contaminate the aquifer.

Effective March 9, 1987, authority to  
make a Sole Source Aquifer Designation  
Determination was delegated to the U.S.  
EPA Regional Administrators.

On November 25, 1987, EPA received  
a complete petition from the Miami  
Valley Regional Planning Commission of  
Dayton, Ohio, which petitioned EPA to  
designate the BVAS as a Sole Source  
Aquifer.

On December 22, 1987, EPA published  
notice to announce a public comment  
period regarding the petition. The public  
was permitted to submit comments and  
information on the petition until  
February 22, 1988. A public meeting,  
scheduled during this period, was  
cancelled due to lack of written  
response challenging the aquifer's  
eligibility for designation. Cancellation  
was coordinated through the petitioner  
with concurrence by Regional Counsel.

**II. Basis for Determination**

Among the factors to be considered  
by the U.S. EPA in connection with the  
designation of an area under section  
1424(e) are: (1) Whether the BVAS is the  
area's sole or principal source of  
drinking water, and (2) whether  
contamination of the aquifer would  
create a significant hazard to public  
health. On the basis of technical  
information available to this Agency,  
the Regional Administrator has made  
the following findings, which are the  
bases for the determination noted  
above:

1. The BVAS currently serves as the  
"sole source" of drinking water for

approximately 920,600 residents, of  
Pleble, Dark, Champaign, Miami,  
Montgomery, Logan, Clark, Greene and  
Shelby Counties.

2. There is no existing alternative  
drinking water source or combination of  
sources which provides 50 percent or  
more of the drinking water to the  
designated area, nor is there any  
available, cost-effective potential source  
capable of replacing the drinking water  
needs of the communities and  
individuals that presently rely on the  
aquifer.

3. The Buried Valley Aquifer System  
is an unconfined to semi-confined  
aquifer that transmits water through  
unconsolidated glacial deposits. Its high  
porosity and permeability, coupled with  
thin overlying soils and shallow depth of  
water, make the BVAS very vulnerable  
to contamination. Contamination has  
already occurred, especially in the  
Dayton Metropolitan area and other  
highly industrialized areas. Sources for  
contamination include, but are not  
limited to: (A) Leaking underground  
storage tanks, (B) stormwater drains  
that discharge to ground water, (C)  
accidental release of hazardous  
materials, (D) use and improper storage  
of agricultural chemicals, and (E) salting  
of roads for ice control. Should any of  
the above sources of contamination  
enter the public water supply, there  
could be a significant negative effect on  
drinking water quality, with a  
consequent adverse effect on public  
health.

**III. Description of the Buried Valley  
Aquifer System: Hydrogeology; Use,  
Recharge; Boundaries**

The BVAS was formed when  
successive glacial events discharged  
sediment-choked meltwaters through  
pre-existing bedrock valleys. These  
meltwaters left behind heterogeneous  
deposits of gravel, sand, silt, and clay.  
The gravel and sand deposits form the  
principal aquifers of the BVAS, and  
range from 20 to 400 feet in thickness,  
and from 1/10th to 3 miles in width. The  
Ohio Department of Natural Resources  
subdivides the BVAS into Class I and  
Class II aquifers, based on  
hydrogeologic characteristics.

Ground water withdrawal from public  
and private water supply wells averages  
approximately 140 million gallons per  
day (mg/d) within the proposed area,  
with another 45 mg/d going to industrial  
use. This resource is so readily available  
and prolific that few communities and  
individuals within reach of it have  
developed alternative sources. In fact,  
97 percent of the public water and 100  
percent of the private water in the

proposed designated area is drawn from  
the BVAS.

The BVAS is recharged primarily by  
precipitation, with a minor amount  
contributed as inflow from the upland  
areas. Many of the large wellfields  
produce sufficient drawdown to cause  
induced recharge from surface water  
bodies to be the primary recharge to the  
wellfield. However, according to a  
USGS report on the aquifers, "The flow  
[in the rivers] that is equaled or  
exceeded 90 percent of the time \* \* \* is  
generally considered to come primarily  
from ground water." In other words,  
ground water contributes the bulk of  
water to rivers in the area. So the  
primary recharge mechanism ultimately  
remains the infiltration of precipitation  
over the aquifer.

The project review area consists of  
the area over the Class I and II aquifers  
from a hydrodynamic boundary which  
occurs just south of the City of Franklin  
in Warren County, to the northern  
boundary of the Great Miami Basin and  
including that portion of the BVAS in the  
Little Miami Basin north of Warren  
County. Excluded are two small  
"fingers" of aquifer in western Preble  
County that do not connect with the  
main aquifer in the proposed area. Also  
excluded is a portion of Class II aquifer  
in Logan and Shelby Counties in which  
ground water flows north and west,  
indicating a hydrologic boundary across  
the aquifer in the northwest corner of  
Harrison Township, Champaign County.  
Maps of the boundaries are available  
from the U.S. EPA Region V Office of  
Ground Water.

**IV. Alternative Sources**

The Petitioner considered several  
alternatives to the BVAS to supply  
drinking water: Existing surface water  
systems; bedrock aquifers; and  
construction of surface impoundments.

Existing surface water systems could  
supply water to a limited area, but  
current costs from these systems  
already exceed quantitative guidance  
thresholds, and the installation of  
additional water lines would raise these  
costs substantially. Also, existing  
surface water systems could not replace  
the 140 mg/d currently drawn from the  
BVAS.

Bedrock aquifers do not have the  
hydrogeologic characteristics to enable  
them to transmit sufficient water to  
replace the amount currently supplied  
by the aquifer. In addition, the water is  
highly mineralized, requiring additional  
treatment to bring it up to the quality of  
the current supply. New wells would  
have to be drilled, and additional piping  
installed for public water supplies.



Private users would have the expense either of hooking up to public water, deepening their existing wells, or redrilling.

The Petitioner conducted a cost analysis for construction, operation, and maintenance of surface impoundments on the major rivers as a potential alternative source. Current O&M costs, construction costs indexed to 1987, as well as the cost of additional piping, interconnections, and land acquisition, show that construction of impoundments is far too costly. In fact, the cost of O&M alone turned out to be greater than the guidance thresholds of 0.4-0.6 of average annual income.

#### V. Information Utilized in Determination

The information utilized in this determination includes the petition, published State and Federal reports on the area, and various technical publications. The petition file is available to the public and may be inspected during normal business hours at the U.S. Environmental Protection Agency, Region V, Office of Ground Water, 111 W. Jackson, 10th Floor, Chicago, Illinois 60604.

#### VI. Project Review

EPA Region V is working with the Federal agencies that may in the future provide financial assistance to projects in the area of concern. Interagency procedures and Memoranda of Understanding will be developed through which EPA will be notified of proposed commitments of funding by Federal agencies for projects which could contaminate the designated area of the Buried Valley Aquifer System. EPA will evaluate such projects and, where necessary, conduct an in-depth review, including solicitation of public comments where appropriate. Should the Administrator determine that a project may contaminate the aquifer through its recharge zone so as to create a significant hazard to public health, no commitment for Federal financial assistance may be made. However, a commitment for Federal financial assistance may, if authorized under another provision of law, be made to plan or design the project to assure that it will not contaminate the aquifer.

Although the project review process cannot be delegated, the U.S. Environmental Protection Agency will rely to the maximum extent possible on existing or future State and local control mechanisms in protecting the ground water quality of the BVAS. Included in the review of any Federal financially assisted project will be coordination with State and local agencies. Their comments will be given full

consideration, and the Federal review process will attempt to complement and support State and local ground water protection mechanisms.

#### VII. Summary of Public Comments

Only one comment was received during the public comment period, and that was in support of designation.

#### VIII. Economic and Regulatory Impact

Under the provisions of the Regulatory Flexibility Act (RFA), 5 U.S.C. 605(b), I hereby certify that the attached rule will not have a significant impact on a substantial number of small entities. For purposes of this Certification, the "small entity" shall have the same meaning as given in section 601 of the RFA. This action is only applicable to the designated area of the Buried Valley Aquifer System. The only affected entities will be those area-based businesses, organizations, or governmental jurisdictions that request Federal financial assistance for projects which have the potential to contaminate the aquifer so as to create a significant hazard to public health. EPA does not expect to be reviewing small isolated commitments of financial assistance on an individual basis, unless a cumulative impact on the aquifer is anticipated; accordingly, the number of affected small entities will be minimal.

For those small entities which are subject to review, the impact of today's action will not be significant. Most projects subject to this review will be preceded by a ground water impact assessment required under other Federal laws, such as the National Environmental Policy Act (NEPA) as amended, 42 U.S.C. 4321, *et seq.* Integration of those related review procedures with Sole Source Aquifer review will allow EPA and other Federal agencies to avoid delay or duplication of effort in approving financial assistance, thus minimizing any adverse effect on those small entities which are affected. Finally, today's action does not prevent grants of Federal financial assistance which may be available to any affected small entity in order to pay for the redesign of the project to assure protection of the aquifer.

Under Executive Order 12291, EPA must judge whether a regulation is "major" and, therefore, subject to the requirement of a Regulatory Impact Analysis. This regulation is not major because it will not have an annual effect of \$100 million or more on the economy, will not cause any major increase in costs or prices, and will not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of

United States enterprises to compete in domestic or export markets. Today's action only provides for an in-depth review of ground water protection measures, incorporating State and local measures whenever possible, for only these projects which request Federal financial assistance.

Dated: April 14, 1988.

Valdas V. Adamkus,

Regional Administrator.

[FR Doc. 88-9103 Filed 5-3-88; 8:45 am]

BILLING CODE 6560-50-M

### FEDERAL MARITIME COMMISSION

#### Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC Office of the Federal Maritime Commission, 1100 L Street, NW., Room 10325. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the *Federal Register* in which this notice appears. The requirements for comments are found in § 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

#### Agreement No.: 224-200052-001

Title: Tampa Port Authority Terminal Agreement

Parties: Tampa Port Authority Bay Terminal & Stevedoring Co., Inc.

Synopsis: The agreement amendment extends the term of the basic agreement through 31 July 1988.

#### Agreement No.: 224-200054-001

Title: Port of Tampa Lease Agreement

Parties: Tampa Port Authority G & C Stevedoring Co. (Tenant)

Synopsis: The proposed agreement would (1) extend the term of the lease for an additional three months through July 31, 1988; and (2) provide that the Tenant will pay a lump sum of \$75.00 rental, payable after the effective date of Amendment One but not later than May 15, 1988.

#### Agreement No.: 224-011062-002

Title: Maryland Port Administration Terminal Agreement